

(h) NATIONAL GUARD CHALLENGE PROGRAM.—Section 509 of such title is amended—

(1) in subsection (c)(1), by striking “the commanding general of the District of Columbia National Guard, under which the Governor or the commanding general” and inserting “the Mayor of the District of Columbia, under which the Governor or the Mayor”;

(2) in subsection (g)(2), by striking “the commanding general of the District of Columbia National Guard” and inserting “the Mayor of the District of Columbia”;

(3) in subsection (j), by striking “the commanding general of the District of Columbia National Guard” and inserting “the Mayor of the District of Columbia”; and

(4) in subsection (k), by striking “the commanding general of the District of Columbia National Guard” and inserting “the Mayor of the District of Columbia”.

(i) ISSUANCE OF SUPPLIES.—Section 702(a) of such title is amended by striking “commanding general of the National Guard of the District of Columbia” and inserting “Mayor of the District of Columbia”.

(j) APPOINTMENT OF FISCAL OFFICER.—Section 708(a) of such title is amended by striking “commanding general of the National Guard of the District of Columbia” and inserting “Mayor of the District of Columbia”.

**SEC. 1075. CONFORMING AMENDMENT TO THE DISTRICT OF COLUMBIA HOME RULE ACT.**

Section 602(b) of the District of Columbia Home Rule Act (sec. 1-206.02(b), D.C. Official Code) is amended by striking “the National Guard of the District of Columbia.”.

**SA 4392.** Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title III, add the following:

**SEC. 376. BRIEFING AND REPORT ON APPROACH FOR CERTAIN PROPERTIES AFFECTED BY NOISE FROM MILITARY FLIGHT OPERATIONS.**

(a) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the congressional defense committees a briefing on the use and applicability of the Air Installations Compatible Use Zones program of the Department of Defense to support noise mitigation and insulation efforts for fixed wing aircraft, including any such efforts funded under grants from the Office of Local Defense Community Cooperation of the Department.

(b) MATTERS.—The briefing under subsection (a) shall include a discussion of the following:

(1) Changes to current practices regarding the Air Installations Compatible Use Zones program that are necessary to support noise mitigation and insulation efforts relating to existing covered facilities.

(2) The number of fixed wing aircraft facilities covered by existing studies under such program.

(3) The proportion of existing studies under such program that accurately reflect current and reasonably foreseeable fixed wing aviation activity.

(4) Expected timelines for each military department to develop and update all studies

under such program to reflect current and reasonably foreseeable fixed wing activity.

(5) An approximate number of covered facilities anticipated to be within the 65 decibel day-night average sound level for installations with existing studies under such program, including such facilities specifically located in crash zones or accident potential zones.

(6) An assessment of the viability of making eligibility to receive funding for noise mitigation and insulation efforts contingent on the completion of certain measures to ensure compatibility of civilian land use activity with conclusions under such program.

(7) Any barriers to the timely review and generation of studies under such program, including with respect to staffing and gaps in authorities.

(8) The estimated cost to develop and update required practices and studies under such program.

(9) Future opportunities to consult with local communities affected by noise from military flight operations.

(c) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the final outcome of the update process being undertaken by the Secretary with respect to the Air Installations Compatible Use Zones program.

(2) ELEMENTS.—The report required by paragraph (1) shall include further details and analysis with respect to each matter specified in subsection (b).

(d) DEFINITIONS.—In this section:

(1) The term “Air Installations Compatible Use Zones program” has the meaning given such term in Department of Defense Instruction 4165.57.

(2) The term “covered facility” means any—

- (A) private residence;
- (B) hospital;
- (C) daycare facility;
- (D) school; or
- (E) facility the primary purpose of which is to serve senior citizens.

**SA 4393.** Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

**SEC. 1064. PROVIDING END-TO-END ELECTRONIC VOTING SERVICES FOR ABSENT UNIFORMED SERVICES VOTERS IN LOCATIONS WITH LIMITED OR IMMATURE POSTAL SERVICE.**

(a) PLAN.—

(1) DEVELOPMENT.—In consultation with the Chief Information Officer of the Department of Defense, the Presidential designee under the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20301 et seq.) shall develop a plan for providing end-to-end electronic voting services (including services for registering to vote, requesting an electronic ballot, completing the ballot, and returning the ballot) in participating States for absent uniformed services voters under such Act who are deployed or mobilized to locations with limited or immature postal

service (as determined by the Presidential designee).

(2) SPECIFICATIONS.—The Presidential designee shall include in the plan developed under paragraph (1)—

(A) methods to ensure that voters have the opportunity to verify that their ballots are received and tabulated correctly by the appropriate State and local election officials;

(B) methods to generate a verifiable and auditable vote trail for the purposes of any recount or audit conducted with respect to an election; and

(C) an assessment of whether commercially available technologies may be used to carry out any of the elements of the plan.

(3) CONSULTATION WITH STATE AND LOCAL ELECTION OFFICIALS.—The Presidential designee shall develop the plan under paragraph (1) in consultation with appropriate State and local election officials to ensure that the plan may be implemented successfully in any State which agrees to participate in the plan.

(4) USE OF CONTRACTORS.—To the extent the Presidential designee determines to be appropriate, the Presidential designee may include in the plan developed under paragraph (1) provisions for the use of contractors to carry out any of the elements of the plan.

(5) SUBMISSION.—Not later than one year after the date of the enactment of this Act, the Presidential designee shall submit the plan developed under paragraph (1) to the Committees on Armed Services of the House of Representatives and Senate.

(b) IMPLEMENTATION.—If the Presidential designee determines it feasible, the Presidential designee shall implement the plan developed under subsection (a)—

(1) for a trial group of voters in participating States for elections for Federal office held in 2024; and

(2) for all such voters in participating States for elections for Federal office held in 2026 and any succeeding year.

**SA 4394.** Mr. PAUL submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . LIMITATION ON AUTHORITIES IN FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.**

(a) FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.—

(1) IN GENERAL.—The Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) is amended by adding at the end the following:

**“TITLE IX—LIMITATIONS**

**“SEC. 901. LIMITATIONS ON AUTHORITIES TO SURVEIL UNITED STATES PERSONS AND ON USE OF INFORMATION CONCERNING UNITED STATES PERSONS.**

“(a) DEFINITIONS.—In this section:

“(1) PEN REGISTER AND TRAP AND TRACE DEVICE.—The terms ‘pen register’ and ‘trap and trace device’ have the meanings given such terms in section 3127 of title 18, United States Code.

“(2) UNITED STATES PERSON.—The term ‘United States person’ has the meaning given such term in section 101.

“(3) DERIVED.—Information or evidence is ‘derived’ from an acquisition when the Government would not have originally possessed the information or evidence but for that acquisition, and regardless of any claim that the information or evidence is attenuated from the surveillance or search, would inevitably have been discovered, or was subsequently reobtained through other means

“(b) LIMITATION ON AUTHORITIES.—Notwithstanding any other provision of this Act, an officer of the United States may not under this Act request an order for, and the Foreign Intelligence Surveillance Court may not under this Act order—

“(1) electronic surveillance of a United States person;

“(2) a physical search of a premises, information, material, or property used exclusively by, or under the open and exclusive control of, a United States person;

“(3) approval of the installation and use of a pen register or trap and trace device to obtain information concerning a United States person;

“(4) the production of tangible things (including books, records, papers, documents, and other items) concerning a United States person; or

“(5) the targeting of a United States person for the acquisition of information.

“(c) LIMITATION ON USE OF INFORMATION CONCERNING UNITED STATES PERSONS.—

“(1) DEFINITION OF AGGRIEVED PERSON.—In this subsection, the term ‘aggrieved person’ means a person who is the target of any surveillance activity under this Act or any other person whose communications or activities were subject to any surveillance activity under this Act.

“(2) IN GENERAL.—Except as provided in paragraph (3), any information concerning a United States person acquired or derived from an acquisition under this Act shall not be used in evidence against that United States person in any criminal, civil, or administrative proceeding or as part of any criminal, civil, or administrative investigation.

“(3) USE BY AGGRIEVED PERSONS.—An aggrieved person who is a United States person may use information concerning such person acquired under this Act in a criminal, civil, or administrative proceeding or as part of a criminal, civil, or administrative investigation.”

(2) CLERICAL AMENDMENT.—The table of contents preceding section 101 is amended by adding at the end the following:

“TITLE IX—LIMITATIONS

“Sec. 901. Limitations on authorities to surveil United States persons and on use of information concerning United States persons.”

(b) LIMITATION ON SURVEILLANCE UNDER EXECUTIVE ORDER 12333.—

(1) DEFINITIONS.—In this subsection:

(A) AGGRIEVED PERSON.—The term ‘aggrieved person’ means a person who is the target of any surveillance activity under Executive Order 12333 (50 U.S.C. 3001 note; relating to United States intelligence activities) or any other person whose communications or activities were subject to any surveillance activity under such Executive Order.

(B) PEN REGISTER; TRAP AND TRACE DEVICE; UNITED STATES PERSON.—The terms ‘pen register’, ‘trap and trace device’, and ‘United States person’ have the meanings given such terms in section 901 of the Foreign Intelligence Surveillance Act of 1978, as added by subsection (a).

(2) LIMITATION ON ACQUISITION.—Where authority is provided by statute or by the Federal Rules of Criminal Procedure to perform physical searches or to acquire, directly or

through third parties, communications content, non-contents information, or business records, those authorizations shall provide the exclusive means by which such searches or acquisition shall take place if the target of acquisition is a United States person and the information is sought for foreign intelligence purposes.

(3) LIMITATION ON USE IN LEGAL PROCEEDINGS.—Except as provided in paragraph (5), any information concerning a United States person acquired or derived from an acquisition under Executive Order 12333 (50 U.S.C. 3001 note; relating to United States intelligence activities), where such acquisition is not authorized by statute or by the Federal Rules of Criminal Procedure, shall not be used in evidence against that United States person in any criminal, civil, or administrative proceeding or as part of any criminal, civil, or administrative investigation.

(4) LIMITATION ON UNITED STATES PERSON QUERIES.—No governmental entity shall query communications content, non-contents information, or business records acquired for foreign intelligence purposes under Executive Order 12333 (50 U.S.C. 3001 note; relating to United States intelligence activities) but without statutory authorization or authorization under the Federal Rules of Criminal Procedure using search terms associated with a United States person.

(5) USE BY AGGRIEVED PERSONS.—An aggrieved person who is a United States person may use information concerning such person acquired under Executive Order 12333 in a criminal, civil, or administrative proceeding or as part of a criminal, civil, or administrative investigation.

SA 4395. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1213 and insert the following:

SEC. 1213. PROHIBITION ON USE OF FUNDS FOR TALIBAN AND RESCISSION OF UNOBLIGATED BALANCES FOR AFGHANISTAN.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act or any other Act may be made available for the transfer of funds, supplies, or any other item of monetary value to the Taliban.

(b) RESCISSION.—

(1) IN GENERAL.—There are hereby rescinded all unobligated balances from the amounts appropriated or otherwise made available to the covered funds for reconstruction activities in Afghanistan.

(2) COVERED FUNDS DEFINED.—In this subsection, the term ‘covered funds’ means, with respect to amounts appropriated for Afghanistan—

(A) the Afghanistan Security Forces Fund (ASFF);

(B) the Economic Support Fund (ESF);

(C) International Narcotics Control and Law Enforcement (INCLE);

(D) the Commanders’ Emergency Response Program (CERP);

(E) Drug Interdiction and Counter-Drug Activities (DICDA);

(F) Migration and Refugee Assistance (MRA);

(G) International Disaster Assistance (IDA); and

(H) Non-Proliferation, Antiterrorism, Demining, and Related (NADR).

SA 4396. Mr. RISCH (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle H—International Pandemic Preparedness and COVID-19 Response

SEC. 1291. SHORT TITLE.

This subtitle may be cited as the ‘International Pandemic Preparedness and COVID-19 Response Act of 2021’.

SEC. 1292. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Appropriations of the Senate;

(C) the Committee on Foreign Affairs of the House of Representatives; and

(D) the Committee on Appropriations of the House of Representatives.

(2) GLOBAL HEALTH SECURITY AGENDA; GHSA.—The terms ‘Global Health Security Agenda’ and ‘GHSA’ mean the multi-sectoral initiative launched in 2014 and renewed in 2018 that brings together countries, regions, international organizations, non-governmental organizations, and the private sector to elevate global health security as a national-level priority, to share best practices, and to facilitate national capacity to comply with and adhere to—

(A) the International Health Regulations (2005);

(B) the World Organisation for Animal Health international standards and guidelines;

(C) United Nations Security Council Resolution 1540 (2004);

(D) the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological and Toxin Weapons and on their Destruction, done at Washington, London, and Moscow, April 10, 1972 (commonly referred to as the ‘Biological Weapons Convention’);

(E) the Global Health Security Agenda 2024 Framework; and

(F) other relevant frameworks that contribute to global health security.

(3) GLOBAL HEALTH SECURITY INDEX.—The term ‘Global Health Security Index’ means the comprehensive assessment and benchmarking of health security and related capabilities across the countries that make up the States Parties to the International Health Regulations (2005).

(4) GLOBAL HEALTH SECURITY INITIATIVE.—The term ‘Global Health Security Initiative’ means the informal network of countries and organizations that came together in 2001 to undertake concerted global action to strengthen public health preparedness and response to chemical, biological, radiological, and nuclear threats, including pandemic influenza.

(5) JOINT EXTERNAL EVALUATION.—The term ‘Joint External Evaluation’ means the